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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/873,687      | 06/04/2001  | Michelle R. Lehmeier | 10003826-1          | 4781             |

7590 03/21/2006  
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| EXAMINER |
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WOO, ISAAC M

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| ART UNIT | PAPER NUMBER |
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2166

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/873,687

Applicant(s)

LEHMEIER ET AL.

Examiner

Isaac M. Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-49 is/are pending in the application.
- 4a) Of the above claim(s) 29-33 and 44-49 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All. b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/3/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to Applicant's Responses, filed on December 21, 2005 have been considered but they are not persuasive.
2. Claims 1-28 are canceled. Claims 29-49 are pending. Claims 29-33 and 44-49 are withdrawn. Claims 34-43 are presented for examination.

### ***Response to arguments***

In response to Applicant's Remarks filed on December 21, 2005, the following factual arguments are noted:

Liaguno et al (U.S. Patent No. 5,729,741) does not disclose or suggest, "converting spoken words to data descriptive of file content" and "storing characteristics and descriptive data" for claim 34, "semantic processing engine extracts keywords associated with a text file" "speech recognition engine converts spoken words describing content" into "descriptive data" and "meta data comprising said content characteristics and descriptive data of each file" for claim 38.

However, examiner disagrees. Liaguno discloses converting spoken words (211, import voice/speech as digitized, fig. 2) to data descriptive of file content (i.e., 213, voice/speech to text conversion, fig. 2, col. 9, lines 42-64, Fig. 4, col. 12, lines 45-67 to col. 13, lines 1-13, voice/ speech is converted into texts that are contents of file);

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storing, with the file (text file that created with new format of file, fig. 2), the content characteristics (text file from 203, fig. 2) and the descriptive data (text file from 213, fig. 2). This teaches that once voice or speech information is digitized, the voice or speech data is converted to text data file, which describes (descriptive data) content characteristics for claims 34 and 40. Liaguno discloses, "Pursuant to this key word field-generation subroutine of the present invention, as each `text` image file is generated, shown at 311 in FIG. 3, it is subjected to a non-essential word extraction operation, shown at 313, which reduces the contents of the media image's text file to one or more `key words`, that are loaded into the key word index field 307", (keywords are extracted from image file, fig. 2, fig. 3, col. 11, lines 9-56). This teaches that keywords are extracted and extracted keywords are used as index that is used for data retrieval. Thus, Liaguno teaches "converting spoken words to data descriptive of file content" and "storing characteristics and descriptive data" for claim 34, "semantic processing engine extracts keywords associated with a text file" "speech recognition engine converts spoken words describing content into descriptive data" for claim 40. Liaguno teaches the keyword index that is one of data type to points or describes another data, which is a definition of meta data (fig. 3, col. 11, lines 1-56) and the meta data comprising descriptive data (text) and content characteristics. Thus, teaches, "meta data comprising said content characteristics and descriptive data of each file" for claim 38.

***Claim Rejections - 35 USC § 102***

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 34-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Liaguno et al (U.S. Patent No. 5,729,741, hereinafter, "Liaguno").

With respect to claim 34, Liaguno discloses, identifying content characteristics (203, format text-containing image file into text file) of a file (201, from import text image, fig. 2, col. 9, lines 5-41) using a processing engine (21, view/scan capture station, fig. 1, col. 7, lines 46-55) that analyzes content of the file, see (col. 9, lines 5-41, computer system of Liaguno, texts file (203, fig. 2) that comprises texts that describe content characteristics); converting spoken words (211, import voice/speech as digitized base image file, fig. 2) to data descriptive of file content (213, voice/speech to text conversion, fig. 2, col. 9, lines 42-64, Fig. 4, col. 12, lines 45-67 to col. 13, lines 1-13, voice/ speech is converted into texts that are contents of file); storing, with the file (text file that created with new format of file, fig. 2), the content characteristics (text file from 203, fig. 2) and the descriptive data (text file from 213, fig. 2); and retrieving, accessing, or identifying (607, stored hashed code in index search file, fig. 6) the file using the content characteristics or the descriptive data, see (307, keywords index is used to

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search file, fig. 3, col. 11, lines 9-30, stored media file that is retrieved by text or keyword).

With respect to claim 35, Liaguno discloses that the content characteristics is textual information (text file, 203, fig. 2) generated using an image recognition system, see (201, 203, fig. 2, col. 9, lines 6-41, image with text file scanned processed by OCR, optical character recognition, program).

With respect to claim 36, Liaguno discloses that the content characteristics are keywords associated with a textual portion of the, see (text format file created from text-containing document with image, 203, fig. 2, col. 9, lines 6-41, image with text file scanned processed by OCR, optical character recognition, program).

With respect to claim 37, Liaguno discloses that the descriptive data is textual information (text file, 203, fig. 2) generated using a speech recognition engine, see (213, voice/speech to text conversion, fig. 2, col. 9, lines 42-64, Fig. 4, col. 12, lines 45-67 to col. 13, lines 1-13, voice/ speech is converted into texts that are contents of file).

With respect to claim 38, Liaguno discloses that a plurality of the files (fig. 3, the folder (307, fig. 3) includes a plurality of files); and metadata (i.e., keyword index, fig. 3) comprising the content characteristics and descriptive data of each the file, see (fig. 3, col. 11, lines 1-56, each file with topic and description for meta data of each file)

With respect to claim 39, Liaguno discloses that each file identifiable, accessible, or retrievable using the content characteristics and descriptive data, see (307, keywords index is used to search file, fig. 3, col. 11, lines 9-30, stored media file that is retrieved by text or keyword).

With respect to claim 40, Liaguno discloses, semantics processing engine extracting keywords associated with a text file (image file containing text, the file from 201 to file 203, fig. 2), (keywords are extracted from image file, fig. 2, fig. 3, col. 11, lines 9-56); speech recognition engine converting spoken words (211, import voice/speech as digitized base image file, fig. 2) describing content in the text file into file descriptive data, see (213, voice/speech to text conversion, fig. 2, col. 9, lines 42-64, Fig. 4, col. 12, lines 45-67 to col. 13, lines 1-13, voice/ speech is converted into texts that are contents of file); data structure, stored with the text file in a memory, comprising the keywords (307, keyword index, fig. 3) and the descriptive data, and used by the text file retrieval system to identify the text file, see (607, fig. 6, col. 13, lines 51-67 to col. 14, lines 1-17, stored hashed code index search file, keyword index is used for retrieval file).

With respect to claim 41, Liaguno discloses that search engine configured to search for the keywords or the descriptive data so as to identify file associated with the keywords and the descriptive data, see (607, fig. 6, col. 13, lines 51-67 to col. 14, lines 1-17, stored hashed code index search file, keyword index is used for retrieval file).

With respect to claim 42, Liaguno discloses that character recognition engine configured to generate the text file from a scanned document, see (text format file created from text-containing document with image, 203, fig. 2, col. 9, lines 6-41, image with text file scanned processed by OCR, optical character recognition, program).

With respect to claim 43, Liaguno discloses that optical recognition engine generating textual data associated with characteristics of the image data; and wherein the data structure further comprises the textual data, see (text format file created from text-containing document with image, 203, fig. 2, col. 9, lines 6-41, image with text file scanned processed by OCR, optical character recognition).

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

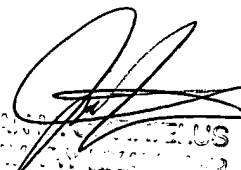
***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IW  
March 18, 2006



ISAAC M. WOO  
Examiner